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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,867	03/06/2007	Sammo Cho	51876P1082	7120
8791 7590 09/11/2009 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
NGUYEN, NGA X				
ART UNIT		PAPER NUMBER		
3662				
MAIL DATE		DELIVERY MODE		
09/11/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/580,867

Applicant(s)

CHO ET AL.

Examiner

NGA X. NGUYEN

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

Drawings Objection

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. The following features are not shown together:

- "A RTCM104 formatting means ... a DGPS RTCM data input port of a separate GPS receiver ..."

Therefore, the features for a digital broadcasting receiver must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 & 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- "a RTCM104 formatting means ..." is unclear. Does a separate GPS receiver receive RTCM104 data or DGPS RTCM data? Are there two GPS receivers that each only receives RTCM104, or DGPS RTCM data?

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiwari (5477228) in view of Bargansa (20040167707)

With regard to claim 1 & 3, Tiwari discloses:

- FM broadcasting processing for receiving signals including encoded multimedia data and DGPS data (see column 6, lines 37-43).
- A DGPS information extractor means for extracting the DGPS information from the decoded DGPS data which is one of the decoded data (see column 6, lines 41-42).

- A RTCM104 formatting means for converting the DGPS information into RTCM104 data which is compatible with the DGPS RTCM data input port and outputting the RTCM104 data through the DGPS RTCM data output port (see column 6, lines 37-67).
- A GPS receiving means for receiving the RTCM104 data through the DGPS RTCM data input port and computing position of a user based on the RTCM104 data (see column 6-7, lines 40-13).

Bargansa discloses:

- A radio frequency processing means for receiving digital broadcasting signal including multiplexed multimedia data and DGPS data, and converting the received digital broadcasting signal into baseband data (see page 1-2, paragraph 13-16)

It would have been obvious to modify Tiwari by incorporating the teaching of Rudow 's system converting the received digital broadcasting signal in to baseband data so as the system processing data more consistency.

With regard to claim 2, Tiwari teaches that the DGPS data output port is a com port for outputting RTCM104 data (See column 7, lines 20-33).

With regard to claim 4, Tiwari teaches the receiver providing geographic information based on the positioning information received from the GPS receiving (see column 4, lines 35-49).

With regard to claim 5, Tiwari teaches that the GPS receiving means independently provides the GPS service (see column 4, lines 35-57).

With regard to claim 6, Rudow teaches that the RTCM104 formatting means and the GPS receiving are coupled to each other through one of USB (see column 8-9, lines 63-12).

Response to Amendment

4. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

With regard to claim 1 & 3, applicant argues prior art fail to teach:

- Digital broadcast signal including encoded multimedia data and encoded DGPS data.
- "converting the DGPS information into RTCM104 data which is compatible with DGPS RTCM data input ..."

Responses: Tiwari teaches:

- Digital broadcast signal including encoded multimedia data and encoded DGPS data (see abstract)
- "Converting the DGPS information into RTCM104 data which is compatible with DGPS RTCM data input ..." is unclear (see paragraph 2 above for detail). Below Tiwari discloses an invention that examiner understanding the application's claims.
- A RTCM104 formatting means for converting the DGPS information into RTCM104 data which is compatible with the DGPS RTCM data input port and outputting the RTCM104 data through the DGPS RTCM data output port (see column 6, lines 37-67). A GPS receiving means for receiving

the RTCM104 data through the DGPS RTCM data input port and computing position of a user based on the RTCM104 data (see column 6-7, lines 40-13) which meets the claim.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NGA X. NGUYEN whose telephone number is 571-272-5217. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TARCZA H. THOMAS can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NGA X NGUYEN
Examiner
Art Unit 3662

NXN

/Thomas H. Tarcza/

Supervisory Patent Examiner, Art Unit 3662